

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chairwoman Arlene Becker, on February 11, 2009 at 3:00 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Arlene Becker, Chairwoman (D)  
Rep. Mary Caferro, Vice Chairwoman (D)  
Rep. Pat Ingraham, Vice Chairwoman (R)  
Rep. Bill Beck (R)  
Rep. Julie French (D)  
Rep. Timothy Furey (D)  
Rep. David Howard (R)  
Rep. Chuck Hunter (D)  
Rep. Dave McAlpin (D)  
Rep. Michael More (R)  
Rep. Pat Noonan (D)  
Rep. Ken Peterson (R)  
Rep. Diane Sands (D)  
Rep. Cary Smith (R)  
Rep. Ron Stoker (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Santella Baglivo, Committee Secretary  
Sue O'Connell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 399, 2/4/2009; HJ 17, 2/4/2009

Executive Action: HB 20, HB 257, HB 307, HB 310, HJ 17

**HEARING ON HB 399**

**Opening Statement by Sponsor:**

00:00:35 Rep. Timothy Furey (D), HD 91, opened the hearing on  
HB 399, Establish principles for provider rates.

**Proponents' Testimony:**

00:03:22 Sen. Kaufmann, SD 41

**EXHIBIT(huh32a01)**

00:07:32 Janey McCall, Yellowstone Boys and Girls Ranch

00:13:26 Jim Fitzgerald, Executive Director, Intermountain  
Children's Home

00:19:15 Steve Nelsen, Director, Montana Children's Initiative

00:23:07 Wally Melcher, CEO, Helena Industries

00:26:39 Susan Dow, Montana Children's Service Providers for  
Mental Illness

00:27:34 Jan Cahill, Executive Director, Montana Association for  
Community Disability Services

00:31:36 Charlie Briggs, Easter Seals Goodwill

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:33:13 Rep. Ingraham

00:33:48 Mr. Briggs

00:34:16 Rep. Ingraham

00:34:54 Rep. Furey

00:35:35 Rep. Ingraham

00:35:54 Rep. Furey

00:36:15 Chairwoman Becker

00:36:29 Rep. Furey

00:36:40 Chairwoman Becker

00:36:59 Rep. Furey

00:37:20 Chairwoman Becker

00:37:21 Rep. Furey

00:37:28 Sen. Kaufmann

00:38:15 Chairwoman Becker

00:38:41 Sen. Kaufmann

00:38:43 Chairwoman Becker

00:38:46 Sen. Kaufmann

00:39:30 Chairwoman Becker

00:39:31 Rep. Ingraham

00:40:21 Sen. Kaufmann

00:41:23 Rep. More

00:42:21 Sen. Kaufmann  
00:42:35 Ms. McCall  
00:43:14 Rep. More  
00:43:54 Ms. McCall  
00:45:11 Rep. More  
00:45:39 Ms. McCall  
00:46:51 Rep. Beck  
00:47:36 Rep. Furey  
00:47:45 Rep. Beck  
00:48:40 Rep. Furey  
00:49:31 Chairwoman Becker  
00:49:33 Ms. McCall  
00:50:34 Rep. Beck  
00:52:01 Ms. McCall  
00:53:11 Rep. Beck  
00:53:54 Rep. Stoker  
00:54:15 Chairwoman Becker  
00:54:19 Ms. McCall  
00:54:27 Rep. Stoker  
00:55:17 Ms. McCall  
00:56:47 Rep. Stoker  
00:56:53 Chairwoman Becker  
00:56:57 Mr. Fitzgerald  
00:57:38 Rep. Stoker  
00:58:39 Mr. Fitzgerald  
00:59:18 Rep. Stoker  
00:59:50 Rep. Ingraham  
01:00:56 Rep. Furey  
01:01:38 Rep. Ingraham  
01:01:55 Rep. Furey  
01:02:38 Rep. Hunter  
01:03:56 Rep. Furey  
01:05:45 Rep. Hunter  
01:06:33 Mr. Fitzgerald  
01:07:25 Rep. Hunter  
01:07:54 Mr. Fitzgerald  
01:08:46 Rep. Stoker  
01:09:21 Mr. Fitzgerald  
01:10:46 Ms. McCall  
01:12:12 Jeff Folsom, Aware Inc.

**Closing by Sponsor:**

01:12:53 Rep. Furey

**HEARING ON HJ 17**

**Opening Statement by Sponsor:**

01:20:53 Rep. Julie French (D), HD 36, opened the hearing on  
HJ 17, Study use of medication aides in nursing homes.

**Proponents' Testimony:**

01:23:48 Rose Hughes, Executive Director, Montana Health Care  
Association

**EXHIBIT(huh32a02)**

01:27:18 Casey Blumenthal, Montana Hospital Association

01:30:03 Don Judge, Montana Nurses Association

**Opponents' Testimony:** None

**Informational Testimony:**

01:31:38 Jeff Buska, Administrator, Quality Assurance Division,  
Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

01:32:37 Rep. Ingraham  
01:33:51 Rep. French  
01:34:35 Chairwoman Becker  
01:35:05 Ms. Hughes  
01:35:25 Chairwoman Becker  
01:35:32 Ms. Hughes  
01:36:18 Rep. Beck  
01:37:02 Rep. French

**Closing by Sponsor:**

01:38:15 Rep. French

01:42:19 Chairwoman Becker calls a recess.

01:54:41 Chairwoman Becker resumes hearing.

**EXECUTIVE ACTION ON HB 307**

01:56:04 **Motion:** Rep. Caferro moved that **HB 307 DO PASS.**

01:56:16 Ms. O'Connell, LSD

01:57:04 **Motion:** Rep. Caferro moved that **HB 307 BE AMENDED.**

**EXHIBIT(huh32a03)**

01:57:29 **Vote:** Motion carried unanimously by voice vote.

01:57:45 **Motion:** Rep. Caferro moved that **HB 307 DO PASS AS AMENDED.**

**Discussion:**

01:57:58 Rep. Stoker  
01:58:13 Ms. O'Connell  
01:58:54 Rep. Stoker  
01:59:11 Pat Melby, Montana Medical Association  
01:59:51 Rep. Stoker  
01:59:58 Rep. Furey  
02:00:21 Chairwoman Becker  
02:00:23 Ms. O'Connell  
02:00:58 Rep. Ingraham  
02:01:33 Rep. French  
02:02:38 Chairwoman Becker  
02:03:04 Rep. Stoker  
02:03:27 Mr. Melby  
02:04:23 Chairwoman Becker  
02:04:35 Rep. Peterson  
02:06:16 Rep. Howard  
02:07:36 Chairwoman Becker  
02:08:59 Rep. Howard  
02:09:29 Chairwoman Becker  
02:09:34 Rep. French  
02:09:45 Rep. Hunter  
  
02:10:12 **Vote:** Motion failed 8-8 by roll call vote with Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye.

**EXECUTIVE ACTION ON HB 20**

02:11:40 **Motion:** Rep. Caferro moved that **HB 20 DO PASS.**

02:12:25 **Motion:** Rep. Caferro moved that **HB 20 BE AMENDED.**  
**EXHIBIT**(huh32a04)

**Discussion:**

02:12:47 Ms. O'Connell  
02:13:50 Rep. McAlpin  
02:14:09 Rep. Ingraham  
02:14:38 Chairwoman Becker  
02:15:00 Rep. Furey

02:15:34 Rep. McAlpin  
02:15:51 Rep. Furey  
02:15:58 Rep. McAlpin  
02:16:06 Chairwoman Becker  
02:16:08 Rep. Stoker  
02:17:07 Chairwoman Becker  
02:17:29 Ms. O'Connell

02:18:11 **Vote:** Motion carried 16-2 by voice vote with  
Rep. More and Rep. Smith voting no.

02:18:55 **Motion:** Rep. Caferro moved that **HB 20 DO PASS AS  
AMENDED.**

**Discussion:**

02:19:04 Rep. Peterson  
02:20:16 Rep. McAlpin

02:20:39 **Vote:** Motion failed 8-8 by roll call vote with  
Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey,  
Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands  
voting aye.

**EXECUTIVE ACTION ON HB 257**

02:21:42 **Motion:** Rep. Caferro moved that **HB 20 DO PASS.**

**Discussion:**

02:22:25 Ms. O'Connell  
02:23:08 Rep. French  
02:23:21 Chairwoman Becker  
02:23:43 Ms. O'Connell

02:24:10 **Motion:** Rep. Sands moved that **HB 257 BE AMENDED.  
[EXHIBIT \(huh32a05\)](#)**

02:24:30 **Vote:** Motion carried with Rep. More and Stoker  
voting no.

02:25:03 **Motion:** Rep. Caferro moved that **257 DO PASS AS  
AMENDED.**

**Discussion:**

02:25:15 Rep. Howard  
02:25:21 Chairwoman Becker  
02:25:45 Rep. Peterson

02:25:54 Rep. French

02:26:28 **Vote:** Motion failed 1-15 by roll call vote with Rep. Noonan voting aye.

02:27:31 **Motion/Vote:** Rep. Ingraham moved that **HB 257 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 310**

02:27:54 **Motion:** Rep. Caferro moved that **HB 310 DO PASS**.

**Discussion:**

02:28:21 Ms. O'Connell

02:29:13 **Motion:** Rep. Caferro moved that **HB 310 BE AMENDED. EXHIBIT (huh32a06)**

**Discussion:**

02:29:42 Chairwoman Becker

02:29:46 Ms. O'Connell

02:29:57 Rep. Sands

02:30:08 Mr. Melby

02:31:23 **Vote:** Motion failed 6-10 by roll call vote with Rep. French, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Sands, and Rep. Stoker voting aye.

**Discussion:**

02:34:09 Rep. Ingraham

02:35:10 Rep. French

02:35:26 Mr. Melby

02:35:42 Rep. French

02:35:54 Mr. Melby

02:37:21 Rep. French

02:37:52 Mr. Melby

02:39:25 Rep. Peterson

02:43:17 Rep. Caferro

02:44:01 **Vote:** Motion failed unanimously by roll-call vote.

02:45:14 **Motion/Vote:** Rep. Ingraham moved that **HB 310 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HJ 17**

02:46:05 **Motion:** Rep. Furey moved that **HJ 17 DO PASS.**

02:46:17 **Vote:** Motion carried unanimously by voice vote.

**ADJOURNMENT**

02:46:51 Adjournment 5:46 P.M.

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Santella Baglivo, Secretary

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Additional Documents:

**EXHIBIT ([huh32aad.pdf](#))**